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COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES

Fiftieth session

SUMMARY RECORD OF THE 17th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 August 1998, at 3 p.m.

Chairman: Mr. GUISSÉ

later: Mr. FAN Guoxiang
(Vice-Chairman)

later: Mr. GUISSÉ
(Chairman)

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(continued)

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GE.98-13731 (E)

The meeting was called to order at 3 p.m.

THE IMPLEMENTATION OF HUMAN RIGHTS WITH REGARD TO WOMEN:

(a) TRADITIONAL PRACTICES AFFECTING THE HEALTH OF WOMEN AND THE GIRL CHILD;

(b) THE ROLE AND EQUAL PARTICIPATION OF WOMEN IN DEVELOPMENT

(agenda item 5) (continued) (E/CN.4/Sub.2/1998/11; A/52/38/Rev.1, E/1998/27-E/CN.6/1998/12)

1. Ms. McDOUGALL said that trafficking in persons was a growing and serious problem throughout the world. Most of the traffickers operated with impunity. It was a lucrative, low-risk business compared with trafficking in drugs or weapons but was increasingly being organized by criminal syndicates. Some of the trafficking routes spanned great distances with victims being moved halfway across the world, while others spanned only the distance from a village to a city or across a border.

2. While women and girls had always been the focus, trafficking was a global phenomenon and the victims could be of either sex as well as of any age, race or nationality. The majority of victims, however, were women and girls due to gender inequality in the family and in society, gender discrimination in education and employment, harmful cultural stereotypes of women and girls as sexual objects, and the worldwide feminization of poverty. Members of minority groups were particularly vulnerable. The most likely risk factor for victims of trafficking was poverty.

3. People became the victims of trafficking for a wide variety of exploitative purposes: prostitution and other forms of sex work; manual or industrial labour; marriage, adoption or other types of relationships; or domestic servitude. People who were recruited or transported into slavery or forced labour of any kind should, in every circumstance, be considered to be victims of trafficking.

4. Women and girls who entered the sex industry faced special legal, psychological and social hurdles not faced by other victims of trafficking: due to the social stigma they often found reintegration into society difficult if not impossible. The criminalization of prostitution increased the vulnerability to abuse and exploitation of women who had been the victims of trafficking. Placing undue emphasis on restricting border entry might also be the wrong approach in that it might merely increase the desperation of potential trafficking victims and enable traffickers, corrupt officials and others to exploit unwary economic migrants.

5. It was critical that efforts on trafficking issues should be pursued collaboratively in a multidimensional approach, with a continuing dialogue between the United Nations and its specialized agencies, national Governments, donor institutions and non-governmental organizations (NGOs) working with local communities, regionally and nationally. The primary goal of all anti-trafficking initiatives should be the protection of the human rights of all persons and should not be limited to border control and crime prevention

efforts. They should also include social welfare and victim assistance programmes which addressed the root causes of trafficking in source, transit and destination countries and locales. States and the various international and regional development agencies should, in consultation with NGOs, institute gender-integrated development programmes in those regions of source countries in which women and girls were particularly vulnerable to trafficking.

6. Human rights law, standards and principles should be extended to all trafficking victims regardless of citizenship, residence or national status. It was crucial that the victims should be able to seek protection from State and local authorities without fear of persecution or summary deportation; should be given free legal aid and interpretation services; be afforded appropriate medical attention both physical and mental; be given assistance in obtaining employment and housing, social welfare benefits, work and residence permits, visas or asylum; and be given the opportunity to return home if they so desired. Trafficking victims should also be able to seek legal recourse in criminal or civil proceedings against their exploiters.

7. Without limiting the freedom of women to travel, authorities likely to encounter trafficking victims should be properly trained to recognize trafficking situations: States should launch education campaigns to make potential victims aware of their rights, particularly in destination countries, and consulates, embassies and travel agencies should advise potential victims of the risks, consequences and warning signs of trafficking.

8. States should strengthen their legislation and policies against trafficking by ratifying the relevant international conventions, and the Sub-Commission should authorize the Working Group on Contemporary Forms of Slavery to study the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others with a view to determining whether it adequately addressed the problem of trafficking and protected the human rights of the victims and, if not, whether it should be supplemented by a protocol or replaced by a new convention.

9. Mr. PARK noted with interest a couple of positive elements in Mrs. Warzazi's second report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child (E/CN.4/Sub.2/1998/11) but said that, in her conclusion, she had expressed regret that the lack of replies from Governments and particularly from those most concerned by harmful practices had made it impossible for her to complete her task. Governments should reply both early and fully. Moreover, the level of Secretariat assistance given to her needed to be substantially increased and sustained so that she could continue her research and analysis and her collection of information.

10. Referring to the statement made by Ms. McDougall on trafficking in persons, he said that action was undoubtedly needed at national, international and NGO levels.

11. Mr. BOUTKEVITCH said that Mrs. Warzazi had produced a valuable second report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child (E/CN.4/Sub.2/1998/11) despite a lack of cooperation from Governments. He noted that she had

received no replies or cooperation from the Government of any country in Eastern Europe or of any country that had formed part of the Union of Soviet Socialist Republics, and hoped that she would receive greater assistance and support in the future.

12. In the constitutions of all those countries, women had equal status with men and, until recently, the situations regarding women and the girl child had been considered fairly favourable. What was important, however, was not whether good laws existed, but whether they were implemented. Eastern European Governments had always asserted that national legislation existed as a result of which the situation of women and the girl child had improved but, in recent years, Eastern European women had been able to compare their situation with that of women in Western Europe and had concluded that their Governments' assertions were empty ones. As a result of unemployment and the non-payment of wages, women in Eastern Europe often found themselves sold into slavery. Children in large towns sold their bodies and even themselves with the encouragement of their unemployed parents. As a result, both women and children became victims of AIDS, as well as of other sexually transmitted diseases, and of violence committed by clients.

13. The trade union movements in the countries of Eastern Europe and the former Soviet Union were dead letters so there was hardly any organized protection of the workforce. Increasing unemployment had led to growing alcoholism among both men and women, resulting in domestic violence and crime of which women were most frequently the victims; there had been a substantial growth in the number of murders of women.

14. The number of unemployed women was much greater than that of men; traditionally, women were paid less than men, and dismissed from work more readily than men. When schools and hospitals were closed down, women were more affected than men because they were more strongly represented in the respective workforces. Privatization in the medical sphere took no account of vulnerable groups, and produced negative consequences in terms of the increased price of medicines which became inaccessible to many people. There were fewer hospitals and fewer hospital beds, so women gave birth increasingly in the home and often without professional assistance. Charlatanism was on the increase, and even encouraged by advertisements in the media.

15. Aside from the initial military operation, men and women had taken an equal part in the efforts to liquidate the consequences of the accident at the Chernobyl atomic power station, but the men had received much more than the women in terms of social benefits, which included free medical treatment, stays in sanatoriums and extra leave.

16. Mr. MacDONALD (United Nations Population Fund (UNFPA)) said that gender issues, including the promotion of equity, equality and full participation of women, were integral parts of all UNFPA activities. In addition to its advocacy activities, UNFPA had for several years been working with the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international and non-governmental organizations in providing reproductive health services to refugees, internally displaced persons and returnees. In addition to counselling, special services were provided, especially to women and girls who had been the victims of sexual abuse and violence. Projects had

been and were still being carried out in Bosnia, Croatia, the Great Lakes region of Africa, other countries of sub-Saharan Africa, the Middle East and Asia.

17. UNFPA was supporting a number of concrete actions against specific human rights violations and assisting women to stand up for their own rights and to make better use of existing legal instruments. It supported a number of organizations working to enhance national capacity to develop legislation to strengthen reproductive rights and women's empowerment, to promote knowledge on family law and women's rights, to promote a correct interpretation of Islamic teaching on population and human rights issues, and to promote legislation against domestic and sexual violence.

18. Together with the United Nations Institute for Training and Research (UNITAR) and the International Organization for Migration (IOM), UNFPA was organizing a series of courses for government officers on the human rights dimensions of migration. In July 1998, UNFPA had signed a memorandum of understanding with the Office of the High Commissioner for Human Rights as a result of which it was seconding a member of its staff to that Office.

19. Ms. MADUAKOH (Office of the United Nations High Commissioner for Refugees) said that the unique functions of UNHCR implied some specific obligations with regard to programmes for refugee women who, with their dependants, represented more than 80 per cent of the beneficiaries of its programmes. UNHCR recognized that becoming a refugee affected men and women differently, and that effective programming had to recognize those differences. Its policy on refugee women was based on the principle of mainstreaming refugee women's concerns into all policies and guidelines designed specifically to ensure their protection. It also had a high-level reference group on refugee women which was chaired by the Deputy High Commissioner. Action was taken to enable refugee women to participate and make a positive contribution, ensuring their greater involvement both as participants and as beneficiaries in the social and economic activities of the projects.

20. To ensure that that policy was carried out effectively, UNHCR had undertaken gender awareness and sensitivity training. All members of staff and implementing partners were made aware that the traditionally defined roles and responsibilities for men and women were societal constraints which no longer held true in a refugee camp. The new situation created by upheaval, flight and asylum involved many women becoming heads of households, because the men were no longer present to perform their traditional roles.

21. Lack of awareness on the part of refugee women of their rights and entitlements often resulted in them being unable to ensure that their rights were met. That was being addressed through awareness campaigns. It was hoped that, as a result, refugee women would achieve self-sufficiency for the duration of their stay in a country of asylum and would be able to play an active role upon their return to their countries of origin.

22. Some of the traditional practices of refugee communities were harmful to health, well-being and development, and it was women and girls who were most usually affected. UNHCR had taken very seriously the Sub-Commission's Plan of

Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children and, where possible, had promoted and implemented its recommendations in its programme planning. Female genital mutilation and early childhood marriages were examples of harmful traditional practices that were most prevalent among some populations of concern to UNHCR; they were internationally condemned due to the grave health risks they entailed, as well as the human rights principles they violated.

23. Harmful traditional practices violated such rights as the right to life, the right to security of person and the right to freedom from torture and other cruel, inhuman or degrading treatment. UNHCR endorsed the joint statement by the World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and UNFPA on female genital mutilation.

24. Action to eradicate harmful traditional practices inevitably conflicted with cultural norms. UNHCR focused its educational and informational efforts on the negative consequences of such practices, targeting religious and traditional leaders, traditional birth attendants, other health workers and refugees. It provided technical support and resources for national and local groups engaged in community-based activities.

25. In Kenya, local NGOs had dealt with the issue of female genital mutilation in workshops covering other reproductive health issues, including sexually transmitted diseases and HIV/AIDS. In Ethiopia, on the other hand, the issue had been successfully addressed in isolation. Other initiatives included the provision of alternative income-generating activities for those who carried out harmful traditional practices. Australia, Canada, the United States and many European countries had legislated against female genital mutilation.

26. UNHCR was concerned at the indignities and threats, notably sexual violence, inflicted on refugee women by bandits, by combatants and sometimes even by fellow asylum seekers or officials in various parts of the world.

27. Ms. CECHUROVA (Transnational Radical Party) said that, since some of the most serious cases of violence against women would fall within the jurisdiction of the new International Criminal Court, her organization was gratified to note the satisfactory gender balance achieved in the Court's Statute and urged that it should start work without delay.

28. The people of Afghanistan, and the women in particular, were victims of severe violations of the right to life, liberty and security of person and to freedom of opinion, expression, religion and association. Women were denied access to basic education, health care, training and employment, and were barred from participating in political, economic, social and cultural life, although the Taliban's interpretation of Islam was rejected by a large proportion of the Islamic world.

29. The United Nations Drug Control Programme had regrettably concluded an agreement with the Taliban on funding the eradication of poppy straw. Such a move was not only of dubious efficiency, it also conferred legitimacy on the

regime. Her organization called for the suspension of all cooperation programmes, except humanitarian relief, until the Government in Afghanistan showed respect for the human rights of both men and women.

30. Ms. RAS-WORK (Inter-African Committee on Traditional Practices) said that the report by the Sub-Commission's Special Rapporteur on traditional practices affecting the health of women and the girl child (E/CN.4/Sub.2/1998/11) demonstrated her commitment to the advancement of women's rights. Nevertheless, the lack of government response to her inquiries regarding the implementation of the Plan of Action adopted in 1994 (E/CN.4/Sub.2/1994/Add.1 and Corr.1) had severely hampered her work. The Sub-Commission should thus request increased resources to enable the Special Rapporteur to make field visits, organize consultations and enhance communications on the subject of traditional practices. The Sub-Commission should also review the action taken since the two regional seminars held in Burkina Faso in 1991 and Sri Lanka in 1994.

31. In September 1997, her organization had organized a symposium for African legislators in collaboration with the Organization of African Unity (OAU) and the Economic Commission for Africa (ECA) to consider the issue of violence against women in general and female genital mutilation in particular. The symposium had adopted the Addis Ababa Declaration which called on Governments to eliminate all forms of traditionally condoned violence and its final report had been endorsed by the OAU Council of Ministers and Assembly of Heads of State and Government.

32. With the support of the Gambian Government, her organization had also organized a symposium on traditional practices in the Gambia in July 1998, which brought together religious leaders and medical personnel from 11 African countries. Islamic and Christian religious leaders had unanimously condemned traditionally condoned violence such as female genital mutilation and issued a communiqué at the end of the symposium calling on all religious leaders to join in the campaign to eradicate such practices.

33. Ms. BRIDEL (International Association of Democratic Lawyers) said that the Algerian authorities had reacted with contempt to the Algerian women's movement in support of an overall revision of the reactionary Family Code. Algerian women drew an analogy between the fundamentalist violence perpetrated against families in the villages and that perpetrated against women in the Family Code. A Committee representing 70 women's associations had demanded 22 amendments of the most discriminatory articles. The authorities had responded that the proposed amendments were incompatible with Islamic principles and certain articles of the 1996 Constitution while, according to the Prime Minister, any review of the Code must take into account the need to consolidate the family unit.

34. The women's associations had demanded the abolition of polygamy, of guardianship for adult women and of inequality in marriage and the introduction of shared parental authority and the allocation of the family home to the parent having custody of the children. The authorities had responded with a preliminary draft that maintained all those provisions

unchanged. Some cosmetic changes had been introduced in the areas of divorce, alimony and division of property, but women's legal incapacity had been maintained.

35. Ms. BENNINGER-BUDEL (World Organization against Torture), having commented that certain mainstream human rights mechanisms and bodies tended to ignore matters of fundamental concern to women because of the absence of a gender-sensitive approach in their work, said that in February 1998, the Superior Council of the Cultural Revolution of Iran had vetoed accession to the Convention on the Elimination of All Forms of Discrimination against Women. In Afghanistan, women were basically under house arrest. They were denied medical care unless accompanied by a close male relative. Their subservient status meant they had no way of protecting their physical and psychological integrity and they were particularly vulnerable to violence.

36. Gender inequality led to difficulties in the investigation and prosecution of the crime of rape, particularly when the perpetrator was a State official. As sexual assault was a form of torture, the impunity of the torturer was proportionately more serious.

37. Women and girls of ethnic Chinese origin had been systematically raped during the recent riots in Indonesia and there were strong indications that the Indonesian military had been involved. Similarities with acts of rape perpetrated by the military in East Timor, Aceh and West Papua had been noted. The Sub-Commission should recommend that an office of the High Commissioner for Human Rights be opened in Jakarta to assist the Government in implementing reforms and monitoring the human rights situation. In Sri Lanka, also, soldiers had raped Tamil women and young girls on a massive scale and often with impunity, because reporting led to reprisals against the victims and their families.

38. The Sub-Commission should insist that all United Nations human rights mechanisms and bodies paid special attention to gender-specific forms of violence and collaborated actively with the Special Rapporteur on violence against women in finding ways to put an end to such practices.

39. Ms. SANCHEZ (International Peace Bureau) said that the situation in Mexico had become intolerable, with widespread and serious human rights violations. The rights of indigenous peoples were being systematically and repeatedly violated. In the State of Chiapas, the Women's Group of San Cristóbal de las Casas had received over 300 complaints of rape of indigenous women between January 1994 and March 1997. In August 1996, two girls aged 13 and 15 had been raped, tortured and murdered by a paramilitary group. The leaders of the Kinal Ansetik organization of indigenous women had received death threats from paramilitary groups. Intimidation and physical and psychological assault often went unreported because the women were afraid of reprisals.

40. The indigenous women of Mexico, who aspired to live in peace and dignity, called on the Sub-Commission to adopt an outspoken resolution that would demonstrate its commitment to the role of the United Nations as protector of all human rights, including the rights of indigenous peoples and the rights of women.

41. Mr. Fan Guoxiang, Vice-Chairman, took the Chair.

42. Ms. GANDHI (Indian Council of Education) said that, since many developed countries had not completely eradicated prejudice against women, it was unlikely that underdeveloped countries would grant their women any greater freedom. Moreover, the resurgence of religious fundamentalism had tended to make the situation worse.

43. The new international economic order was to have given women a definite role in development, yet the fact that rigid social and religious patterns prevailed in the least developed countries was often ignored. However, women's freedom was not a function of economics or material wealth alone, but also of enlightenment and education: South Asia, for all its poverty, had produced outstanding women in many fields; India, though steeped in tradition, reserved seats for women in local government. If progress had been made there, however, it was because the women's movement had made a determined effort to secure the rights that men had long enjoyed.

44. Those rights could best be preserved when women were granted equal opportunity in education, which brought skills and an awareness that women had the right to exploit those skills. Civil society and Government needed to work together to ensure women's full participation in development. That was not likely to happen, however, in countries whose legal structures treated women as second-class citizens.

45. The chief contemporary threat to women's rights came from terrorism, which denied them the one right all women demanded: the right to secure the lives and welfare of their children. The international community should ostracize societies that discriminated against women by constitutional, institutional and legal means or encouraged extremist, fundamentalist or terrorist groups; and it should encourage Governments and NGOs to establish educational programmes for all in order to do away with customs and traditions that prevented women from becoming full partners in development.

46. Ms. ARIF (Interfaith International) said that the mistreatment of women by the Taliban Government in Afghanistan contravened every single article of the Convention on the Elimination of All Forms of Discrimination against Women. Women were denied equal access to political and public life, freedom of movement, and access to education and work outside the home. They faced the threat of beatings or even death if they dressed incorrectly. Despite the Taliban Government's contentions, there was no theological foundation for such mistreatment. In any case, whatever religious justification was advanced, her organization, which was devoted to tolerance between religions, saw the issue as one of women's human rights. She thus urged all Governments committed to the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination against Women to press for changes to the policy towards women in Afghanistan, backed up by sanctions in respect of external assistance and the supply of arms. She also called upon all religious leaders and scholars to use their influence with the Taliban Government to relieve the oppression of women in Afghanistan and the Sub-Commission to pay particular attention to their plight.

47. Ms. PARKER (International Educational Development, Inc.) commended the Sub-Commission for its attention to the problem of government-led violence against women, in particular rape, torture and violence in the context of armed conflicts. She was particularly pleased to see the attention given to the issue of Japan's war rape scheme in the appendix to the final report submitted under agenda item 6 (E/CN.4/Sub.2/1998/13). War rape had for centuries been considered a war crime and universally condemned, yet it persisted - and was sometimes endemic - in armed conflicts.

48. In Kashmir, women were routinely raped and subjected to violence by Indian forces. Since 1996, war rape in the area had increased to epidemic proportions. Only when the Indian army had withdrawn from Jammu and Kashmir, allowing the United Nations to conduct a plebiscite, as mandated by the Security Council, would such violence end.

49. Her organization had sent two video tapes to the Office of the United Nations High Commissioner for Human Rights concerning the situation in Chiapas, Mexico, together with testimony regarding tear-gas, produced in the United States of America, that had been used against Indian women there. Of nearly 20,000 war refugees, most were women, who were constantly harassed, raped and sexually humiliated by the Mexican armed forces. It was difficult to take legal action on their behalf, and victims could not even be helped by so-called humanitarian aid when - as in the case of a recent shipment from the Mexican Red Cross - it was a tragic fraud and consisted largely of expired medicines and diet pills. Their situation had become even more precarious as a result of the expulsion from Mexico of many international NGOs. The Sub-Commission should call on Mexico to allow free access by humanitarian and human rights groups, the provision of food and medicines, and the resumption of meaningful discussions aimed at peace and social development.

50. In Sri Lanka, the military forces had consistently used rape and violence against Tamil women. The perpetrators had been brought to trial in only one case, and government military forces continued to rape Tamil women with impunity. Moreover, many of the victims had disappeared. International aid was no longer reaching displaced women, as the Sri Lankan Government had recently expelled most humanitarian groups. The Sub-Commission should speak out and encourage meaningful dialogue between the parties to the conflict.

51. Ms. DIOP (African Commission of Health and Human Rights Promoters) said that women's rights were human rights and they cut across all aspects of the development process. No nation could expect economic growth under conditions where women - the guardians of future generations - were raped or subjected to violence.

52. Women represented more than half the population of the African continent, yet they took no part in decision-making, particularly the decisions that led to the many conflicts that had broken out in recent years. When conflicts occurred, however, it was they who were burdened with the responsibility for other vulnerable groups in society and themselves fell victim to a disproportionate extent.

53. Women's critical role in conflict was rarely recognized and their special skills as agents of reconciliation had not been harnessed. African women were no longer prepared to accept that situation. Beginning in 1993, when the Kampala Action Plan had been adopted, they had worked towards the creation of the African Women's Committee for Peace and Development, which had been announced in April 1998 by the OAU and ECA.

54. The Committee was the first body of its kind to include women from Governments and civil society, who would deal directly with regional bodies such as OAU and ECA; it would articulate grass-roots women's views on peace and development issues, thus helping to ensure the full participation of African women in the highest decision-making forum in the continent. She urged the international community to help make the Committee a success.

55. Ms. ARIAS URIBURU (New Human Rights) said that she wished to describe her case in the context of women's and children's rights. An Argentine citizen resident in Guatemala, she had married a Jordanian, Mr. Imad Shaban, in 1991, and had had three children. In July 1997, Mr. Shaban had taken Guatemalan citizenship, thereby renouncing his Jordanian citizenship. In October 1997, she and Mr. Shaban had separated. On 9 December 1997, the family court had granted her custody of the children under the law against domestic violence mentioned by the Special Rapporteur in her report on the health of women and the girl child (E/CN.4/Sub.2/1998/11, para. 28). The father was denied access to the family and she and the children were under the court's protection. However, the father, having obtained temporary custody by irregular means, had abducted the children on 10 December and taken them illegally to Jordan.

56. Until March 1998, when it had been confirmed that they were in Jordan with their father, she had had no information concerning the children. The father had meanwhile submitted a request for custody to a Jordanian religious court, which had no jurisdiction in the case.

57. The position in which her family found itself was a violation of international human rights norms and she appealed to the Sub-Commission to help her find a lasting solution which would be in the best interests of her children.

58. Mr. BALTI (Association tunisienne pour l'auto-développement et la solidarité - ATLAS) said that his organization worked to promote economic rights and the right to development and made a modest contribution to political, economic and social reforms in Tunisia. ATLAS was particularly concerned about the position of rural women, among whom, for various reasons, deprivation was increasing more rapidly than among men in the same environment. ATLAS projects adopted a participatory approach with the gender perspective integrated from the start. It had carried out projects involving rural women in a range of productive activities and giving them access to the means of production through microcredit schemes. It also ran literacy programmes and worked with the central Government and regional development councils to improve the infrastructure and promote appropriate technologies. ATLAS was thus helping women in many ways to exercise their rights and to participate actively as essential partners in development.

59. Ms. AVELLA (Women's International Democratic Federation) said that violence against women was on the rise in many parts of the world. In Afghanistan, women suffered permanent discrimination and lived in subhuman conditions of total submission. In East Timor, the occupation army tortured and raped women. The suffering of women in Kashmir was well-known and in Turkey Kurdish women were frequently tortured, killed or imprisoned. In Sri Lanka, Tamil women were treated as the spoils of war.

60. In Mexico, women suffered rape, intimidation, threats and disappearances. Women continued to be murdered with impunity in Colombia: two women politicians had been shot in the past four months and, only the day before, a journalist had been shot dead. Mercedes Usuga, Latin America's longest-standing political prisoner, imprisoned by faceless judges on trumped-up charges, was still in prison and in very poor health. Female prisoners in Peru suffered inhuman conditions and, despite the intervention of the Red Cross, not only their human rights but also those of family members were violated.

61. Various Arab countries continued to condone men's "crimes of honour" to punish female family members who had sexual relations outside marriage, and in Iran practices such as stoning to death or punishment for dressing incorrectly remained in place, even under the new Government.

62. Her organization found it regrettable that many Governments had not collaborated with the Special Rapporteur in her request for information on traditional practices affecting the health of women and hoped that a closer collaboration with the Office of the United Nations High Commissioner for Human Rights would assist her in her work.

63. Ms. JURT (European Union of Public Relations) said that, since prejudice against women still persisted everywhere, their rights and freedoms must receive special protection so as to enable them to realize their full potential and contribute meaningfully to social development. Women had, after all, proved themselves capable of being successful Prime Ministers, scientists, surgeons, astronauts and so forth. Whereas in tribal societies, women shared tasks equally with men, development often created more hurdles than opportunities. In many so-called "modern" societies, women were not permitted to drive alone, travel without a man's permission, or marry according to their own wishes. In such societies, moreover, urban women tendered to be more cloistered than their rural counterparts.

64. In developing countries, female infanticide, dowry deaths and the denial of education and opportunities to women were common phenomena. In some of the wealthiest countries too, women continued to be treated as second-class citizens. Many women, rather than fight discrimination, however, had accepted a form of emotional and financial security provided by men. Where they had united to assert their rights, they had achieved economic independence and even the respect of the very patriarchal societies that had subjugated them.

65. A veiled housewife could be as free as any woman in the workplace, but only as long as she was aware of her rights. When women achieved awareness, they challenged stereotypes, but awareness, which was the key to freedom,

was born from exposure to the world. In Afghanistan, the Pakistani-trained Taliban denied even the most basic of education to women, thereby denying them any meaningful role in society.

66. One day, the Taliban might well seek to impose a similar regime in Pakistan, where there were enough like-minded people who would welcome further oppression of women. It was thus heartening that the Human Rights Commission of Pakistan had sought to highlight ways in which Pakistani laws already restricted the rights and freedoms of women and that Pakistani women had decided to speak out against the treatment of women in Afghanistan.

67. If a similar environment was not to be repeated elsewhere, the women of the world must raise a united voice against all those sustaining the Taliban, be they the Pakistani authorities, United States business interests or religious fundamentalists.

68. Mr. SHOAIB (Muslim World League) said that the continued violation of the human rights of women and girls in Indian-occupied Kashmir was of particular concern to his organization. Women were the prime target of the brutal military operation waged by India in response to Kashmiri demands for self-determination. Molestation, rape and kidnapping at the hands of the military and paramilitary had become the norm, and violence against women in custody continued with total impunity. The Sub-Commission should urge the Government of India to invite the Special Rapporteur on violence against women to conduct impartial investigations into all such allegations.

69. Mr. Guissé resumed the Chair.

70. Ms. RAMIREZ (International Federation of ACAT (Action of Christians for the Abolition of Torture)) said that she knew from personal experience of the suffering of the indigenous women in Mexico at the hands of the authorities who should be protecting their rights: the police, the military, and the judiciary. During the night of 24 April 1997, some 80 State policemen had broken into her home in Santa Maria Jalatengo, State of Oaxaca, and had intimidated and assaulted her family in their beds. Her husband, Celerino Jimenez, had been taken away and tortured to death. She had been told that he had died in a "clash with the police", which was a blatant lie since they had been asleep when the police broke in. Many other indigenous women had lost their husbands in the same way, at least 90 of them to her own knowledge.

71. She hoped that the great sacrifices she had made in order to testify before the Sub-Commission would not be in vain and that the international community would urge the Mexican Government to put an end to the sufferings and the violation of the human rights of indigenous people.

72. Ms. GUL (All Pakistan Women's Association) said that, in situations of armed conflict, women were the easiest targets. Kashmiri women had been exposed to a consistent pattern of humiliation and violence, including gang-rape and abductions. Reputable human rights organizations had documented scores of testimonies of violence against women in Kashmir; hundreds of

stories remained to be told, and hundreds more would be carried to their graves by those who preferred death to the disclosure of the indignities they had suffered.

73. The Indian Women's Fact-Finding Commission had reported in 1997 that minor girls were hesitant to attend school as a result of sexual harassment from army personnel, and that many women in Kashmir suffered extreme anxiety and nervous breakdowns. The Indian authorities had, however, attempted to prevent the gross violations of human rights of Kashmiri women from coming to the attention of the international community. Only two days previously, Kashmiris with valid Swiss visas had been prevented from boarding their plane in New Delhi.

74. International human rights bodies such as the Sub-Commission had a special responsibility to protect and promote human rights of the most vulnerable members of society, namely women and children. It was to be hoped that the women of Kashmir would not be forgotten in their time of trial.

75. Ms. MANN (Liberation) said that the security forces of many States used emergency legislation to practise with impunity systematic rape and other violence against women, in direct breach of international standards. The Sub-Commission should pay particular attention to the situation in Sri Lanka, which was just as serious as those in Rwanda and the former Yugoslavia, as the findings of the Special Rapporteur on extrajudicial executions had shown (E/CN.4/1998/68/Add.2). Over 500 Tamil women were currently being detained without charge in Sri Lankan prisons.

76. In the occupied territories, women's freedom of movement was affected. Although many remained in their homes to avoid harassment, others had to accompany their children to school and were sexually abused in broad daylight. Often the military responsible for such violations was the only authority to whom the victim could make a complaint.

77. In Tamil-controlled areas, where large populations of displaced Tamils were located, an eight-year-long economic embargo continued to hamper the equal participation of women in development. Residential areas had been razed to the ground to make way for military operations, driving women from their homes. Civilians were also frequently the targets of air raids.

78. The Sub-Commission should call upon Sri Lanka to adopt adequate measures to combat violence against Tamil women and should recommend that a special rapporteur be sent to investigate Sri Lanka and other similar countries to report on the state of implementation of international human rights instruments, especially for the protection of women, in situations of armed conflict.

79. Mr. KHAN (World Muslim Congress) said that India had yet to submit its first report to the Committee on the Elimination of all Forms of Discrimination against Women (CEDAW). Women suffered gross and systematic violations of their rights not only in the occupied territory of Kashmir, but also in other integral parts of India. Thus, despite the Dowry Prohibition Act of 1961, dowry-taking was still widely practised, with discrimination and violence against girls whose dowries were considered inadequate.

Dowry-related suicides and "kitchen deaths" were common. The abortion and infanticide of female babies was widespread, the numbers involved being at least 10,000 a year. There were an estimated 500,000 street children in India, many of them engaged in prostitution and many thousands of children from Nepal were sold into prostitution in India every year.

80. The Government of India had itself acknowledged the continued existence of the "Devadasi" phenomenon, whereby girls were dedicated to a temple deity. The practice was prohibited in only a few Indian states, despite the fact that it amounted to a socially sanctioned form of exploitation and slavery.

81. In the occupied territory of Jammu and Kashmir, a new violation against women had evolved. As rewards for their service to the Indian Central Reserve Police Force and Border Security Force, mercenaries were being allowed to choose a woman each from the local population and marry her at gunpoint.

82. The Sub-Commission was urged to condemn the gross and systematic violations of the rights of women in India and Indian-occupied territories.

The meeting rose at 6.05 p.m.